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Attorneys for the United States

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOHN FRANCKI, et al.)
)
Plaintiffs,)
)
vs.) Case No. 3:06-cv-00265-LRH-VPC
)
UNITED STATES, et al.)
)
Defendants.)
_____)

STIPULATION TO EXTEND CERTAIN DISCOVERY AND BRIEFING DEADLINES
(First and Fourth Requests)

Pursuant to Local Rules 6-1, 6-2 and 7-1, the parties stipulate, subject to this Court's approval, that the following deadlines be extended:

1) The United States shall have through July 16, 2007 to respond to Defendant Hologic Inc.'s requests for production of documents;

2) The schedule for briefing the United States' Motion to Dismiss which was filed on March 19, 2007 shall be amended so that Plaintiffs', Hologic, Inc.'s and Radiation Detection

1 Company's supplemental responses to the United States' Motion to
2 Dismiss will be due September 10, 2007 and the United States'
3 reply will be due no later than September 28, 2007. As ordered
4 by the Court (Docket 87), the supplemental briefs shall not
5 exceed twenty pages, exclusive of exhibits and other attachments,
6 and the United States may file a reply brief larger than the 20
7 pages authorized under Local Rule 7-4; and

8 3) Depositions related to Hologic, Inc.'s Fed. R. Civ. P.
9 Rule 30(b)(6) deposition notice will be moved from mid-July to
10 the first two weeks in August.

11 The parties are working together cooperatively and
12 diligently to adhere to the current discovery plan and the
13 Court's scheduling orders. However, as anticipated by the parties
14 and raised before the Court during prior hearings in this action,
15 the potential volume of documents involved, the disparate
16 location of witnesses, the schedule of counsel and other pressing
17 matters confronting the parties necessitate an extension of both
18 the current discovery schedule and the briefing schedule on the
19 motion to dismiss.

20 The parties have modified the briefing schedule three times.
21 The first extension granted Plaintiffs, Hologic, Inc. and
22 Radiation Detection Company two additional weeks to respond to
23 the Motion to Dismiss. See Docket Number 67. The second
24 extension granted the United States additional time to file its
25 reply to the various oppositions. See Docket Number 82. The
26 third extension granted the parties what they believed would be

1 sufficient time to conduct discovery on the jurisdictional
2 defense and complete supplemental briefing. See Docket Number
3 87. As outlined above discovery related to the Motion to
4 Dismiss has consumed more time than anticipated.

5 This is the first request to extend the responses to
6 requests for production and the Rule 30(b)(6) depositions.

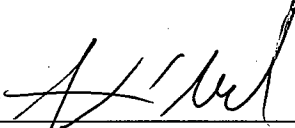
7 Respectfully submitted,

8 Dated: June 15, 2007

Dated June _____, 2007

9 The Veen Firm, P.C.

STEVEN W. MYHRE
Acting United States Attorney

10
11 By: 
12 MILES B. COOPER
ANTHONY L. LABEL

BLAINE T. WELSH
Assistant U.S. Attorney

13 Attorneys for Plaintiffs

Attorneys for the United
States of America

14 Dated: June _____, 2007

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15 NIXON PEABODY LLP

Erickson, Thorpe & Swainston,
Ltd.

17 By: _____
18 HUGH R. KOSS
PAUL E. STINSON

By: _____
WILLIAM G. COBB

19 Attorneys for Defendant
20 Hologic, Inc.

Attorneys for Radiation
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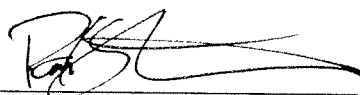
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13 Attorneys for Plaintiffs

14 Dated: June ____, 2007

15 NIXON PEABODY LLP

16
17 By: _____
18 HUGH R. KOSS
PAUL E. STINSON

19 Attorneys for Defendant
20 Hologic, Inc.

21 IT IS SO ORDERED.

22 DATED this 20th day of June, 2007.

Dated June 15th, 2007

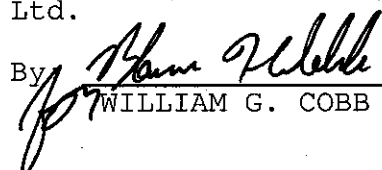
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By: 
WILLIAM G. COBB

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE